



HOUSE OF REPRESENTATIVES

SB 1104

medical examiner; jurisdiction; death reporting

Prime Sponsor: Senator Barto, LD 15

DP Committee on County and Municipal Affairs

DP Caucus and COW

X As Transmitted to the Governor

OVERVIEW

SB 1104 modifies the circumstances in which the death of a person must be reported to a peace officer.

PROVISIONS

1. Revises the conditions in which the death of a person is required to be reported to a peace officer as follows:
 - a. If the death occurs in any custodial agency, rather than a prison.
 - b. If there is an unexpected or unexplained death of a child.
 - c. If the death arises from an accident allegedly related to the person's job.
 - d. If the death is suspected to be caused by an unreported or undiagnosed disease that is considered to be a threat to public safety.
2. Specifies that the county medical examiner or alternative medical examiner claim jurisdiction of a body provided the prescribed circumstances and determine if an autopsy is required.
3. Allows a medical examiner or alternative medical examiner to authorize medical students or residents in pathology training to perform autopsies under the supervision of a licensed physician who is board certified in forensic pathology, rather than anatomic pathology.
4. Applies the following to an alternative medical examiner, in addition to a medical examiner:
 - a. To complete and sign the medical certification of death within 72 hours after the examination, excluding weekends and holidays.
 - i. If a determination of the cause of death cannot be made with 72 hours, then the examiner must enter *pending* for the cause of death.
 - ii. If a medical certification of death is signed by an examiner with a pending cause of death, then the local, deputy local or state registrar must register the death certificate.
 - iii. A final disposition of a body with a pending cause of death must not occur until the examiner has released the body for final disposition.
 - b. To submit information, once a cause of death is determined, to the local, deputy local, or state registrar.
 - c. To complete and sign the medical certificate of death within 72 hours after the examination of an individual who died from an acute or chronic medical condition and health care was not provided.
 - d. If a death occurs on an Indian Reservation and an examiner is unavailable, then the tribal law enforcement authority may complete and sign the medical certification of death.
5. Makes conforming changes.

CURRENT LAW

[A.R.S. § 11-593](#) states that a person who has knowledge of the death of a human, including a fetal death, must promptly notify the nearest peace officer of all information in the person's possession regarding the death and the surrounding circumstances. If an individual knows of a death and fails to notify a peace officer is guilty of a class 2 misdemeanor (unless the individual has good reason to believe notice has already been given).

After a peace officer has been notified of the death, the peace officer must then notify the county medical examiner or alternative medical examiner and initiate an investigation of the facts and circumstances surrounding the death and report the results to the medical examiner or alternative medical examiner, unless the death resulted from a surgical or anesthetic procedure from a natural disease.

[A.R.S. § 11-594](#) outlines the powers of the county medical examiner. Specifically, subsection A states that a county medical examiner or alternative medical examiner must direct a death investigation, determine if an external examination or autopsy is required, and take charge of the body, among other prescribed requirements.